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February 18, 2005
EX PARTE – VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington DC 20554

Re: Notice of Ex Parte Presentation
Level 3 Petition for Forbearance -- WC Docket No. 03-266
CALEA and Broadband Access and Services – ET Docket No. 04-295

Dear Ms. Dortch:

On Tuesday, February 8, 2005, Bryan R. Martin, Chairman and CEO of 8x8, Inc. ("8x8") met with numerous Commission representatives in a series of meetings. In the first meeting, Mr. Martin met with Jeffrey Carlisle, Chief of the Wireline Competition Bureau, Jeremy Marcus, Legal Advisor, Jennifer McKee, Assistant Chief of the Telecom Access Policy Division and Tamara Preiss, Chief of the Pricing Policy Division. Next, Mr. Martin met with Commissioner Kathleen Abernathy and Jennifer Manner, Senior Counsel to Commissioner Abernathy. Mr. Martin's third meeting was with Dan Gonzalez, Senior Legal Advisor to Commissioner Kevin Martin. This was followed by a meeting with Chris Libertelli, Senior Legal Advisor to Chairman Michael Powell. The fifth and final meeting was with Jessica Rosenworcel, Legal Advisor to Commissioner Michael Copps.

The principal focus of all five meetings was to express 8x8's support for Level(3)'s petition for forbearance from access charges for IP-enabled applications that originate or terminate on the PSTN. The issue raised by Level(3) is ripe for decision, and the Commission should not defer action until it is able to address the broader range of issues surrounding IP-enabled services.

In the meeting with Ms. Rosenworcel, Mr. Martin commented that the federal law enforcement agencies (FBI/DOJ/DEA) seeking application of CALEA requirements to VoIP had not sought to engage the VoIP industry in direct, constructive dialogue. As a result, the industry response in the CALEA has lacked coherence. Mr. Martin suggested that a face-to-face meeting involving the technical representatives of law enforcement agencies and VoIP providers would likely be productive.



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Please refer any questions or correspondence regarding this matter to the undersigned.

Very truly yours,

DLA Piper Rudnick Gray Cary US LLP

/s/ Larry A. Blosser

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cc: All Commission participants